

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

**DEC 02 2014**

JAMES W. MCCORMACK, CLERK  
By: *[Signature]*  
DEP. CLERK

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**BUFFALO RIVER WATERSHED ALLIANCE;  
ARKANSAS CANOE CLUB; NATIONAL PARKS  
CONSERVATION ASSOCIATION; and  
OZARK SOCIETY**

**PLAINTIFFS**

**v. No. 4:13-cv-450-DPM**

**DEPARTMENT OF AGRICULTURE, Tom  
Vilsack, in his official capacity as Secretary,  
United States Department of Agriculture;  
SMALL BUSINESS ADMINISTRATION,  
Jean Hult, in her official capacity as Administrator,  
Small Business Administration, and Linda Nelson,  
in her official capacity as Arkansas District Director,  
Small Business Administration; and FARM SERVICE  
AGENCY, Juan Garcia, in his official capacity as  
Administrator, Farm Service Agency, and Linda  
Newkirk, in her official capacity as Arkansas  
State Executive Director, Farm Service Agency**

**DEFENDANTS**

**JUDGMENT**

1. The Buffalo River Watershed Alliance, the Arkansas Canoe Club, the National Parks Conservation Association, and the Ozark Society are entitled to judgment that the Farm Service Agency and the Small Business Administration violated the National Environmental Policy Act and the Endangered Species Act in guaranteeing Farm Credit Services of Western Arkansas's loans to C&H Hog Farms, Inc.


2. The Farm Service Agency and the Small Business Administration are entitled to judgment on Plaintiffs' claim that the Agencies violated the Buffalo National River Enabling Act. That claim is dismissed with prejudice.

3. The Farm Service Agency is entitled to judgment on Plaintiffs' claim that it violated its own regulation by not consulting the United States National Park Service.

4. All Plaintiffs' other claims are dismissed without prejudice.

5. As the prevailing party, Plaintiffs are entitled to reasonable costs and may be entitled to a reasonable attorney's fee, as allowed by law. Bill of Costs, and any fee motion, due by 19 December 2014.

6. The matter is remanded to the Farm Service Agency and the Small Business Administration. The Court retains jurisdiction.

  
\_\_\_\_\_  
D.P. Marshall Jr.  
United States District Judge

2 December 2014